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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,218	03/12/2004	Andrew G. Berczowski	91510	8571

7590

02/24/2006

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EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/800,218

Applicant(s)

BEREZOWSKI ET AL.

Examiner

Quoc D. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 18 and 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 25-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 7-12, filed 1/25/2006, with respect to the rejection(s) of claim(s) 1-17, 19 and 25-32 under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Barber (6,295,001).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by Barber (6,295,001).

Consider claim 29, Barber teaches a system comprising: a plurality of multi-zone paging systems, each paging system including circuitry for selecting at least one of a plurality of zones, each zone including a plurality of at least audio output devices (Fig. 3; col. 3 lines 8-23), each paging system also including an interface to a computer network for bidirectional communications of at least audio messages with a displaced, common, source (col. 4 lines 35-41).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-11, 14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Troen-Krasnow et al (6,442,250) in view of Barber (6,295,001).

Consider claim 10, Troen-Krasnow et al teach a communication system comprising: source software for accepting an identification of at least one groups and individual destinations therein into which audio is to be broadcast via a local paging audio system (col. 6 line 65 – col. 7 line 65); communications software for establishing communications, via a computer network, with destination software for transmitting at least a group identifier, and a representation of the audio to be broadcast; and destination software, responsive to a received identifier for interacting with a local paging audio system to broadcast received audio into the identified group or individual (col. 4 lines 26-36; col. 7 lines 51-65; col. 9 lines 9-11).

Troen-Krasnow et al did not suggest of enabling message(s) to be broadcasted to a selected facility (location) and region (zone). However, Barber suggested an emergency warning system that enable broadcast or page to selected regions, county, grid block or any geographically defined area (abstract; col. 1 lines 10-15; col. 2 lines 40-50).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to replace the group and individual to be page or broadcast of Troen-Krasnow et al with the location and region of Barber in order to provide a more effective broadcasting system.

Consider claim 11, as suggest above, Troen-Krasnow et al teach where the source software includes graphical user interface software which graphically presents available facilities and regions for selection (col. 4 lines 8-25).

Consider claim 14, Troen-Krasnow et al teach a system comprising: source software for accepting an identification of at least one groups and individual destinations therein into which audio is to be broadcast via a local paging audio system (col. 6 line 65 – col. 7 line 65); communications software for establishing communications, via a computer network, with destination software for transmitting at least a group identifier, and a representation of the audio to be broadcast; and destination software, responsive to a received identifier for interacting with a local paging audio system to broadcast received audio into the identified group or individual where the destination software includes software to control a local paging system in response to received identifiers (col. 4 lines 26-36; col. 7 lines 51-65; col. 9 lines 9-11).

Troen-Krasnow et al did not suggest of enabling message(s) to be broadcasted to a selected facility (location) and region (zone). However, Barber suggested an emergency warning system that enable broadcast or page to selected regions, county, grid block or any geographically defined area (abstract; col. 1 lines 10-15; col. 2 lines 40-50).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to replace the group and individual to be page or broadcast of Troen-Krasnow et al with the location and region of Barber in order to provide a more effective broadcasting system.

Consider claim 15, Troen-Krasnow et al teach where the destination software includes digital to analog (i.e., data to voice) control software for received audio to be broadcast (col. 6 lines 23-32).

Consider claim 16, Troen-Krasnow et al teach where the destination software includes status reporting software to communicate, at least intermittently, via the computer network, with the source software (col. 6 lines 44-57).

Consider claim 17, Troen-Krasnow et al teach where the destination software includes audio processing software to transmit local audio to the source software, via the computer network, for audible presentation local to the source software (col. 8 lines 29-41).

Consider claim 19, as suggested above, Troen-Krasnow et al teach the system includes at least second destination software responsive to a received facility identifier and a received region identifier for interacting with a local paging audio system to broadcast received audio into the identified facility and region (col. 5 lines 10-15).

6. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber (6,295,001) in view of Troen-Krasnow et al (6,442,250).

Consider claim 30, Barber did not suggest the system, which includes software for presenting a paging system and zone selection screen. However, Troen-Krasnow suggested such (col. 4 lines 8-25). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Troen-Krasnow et al into view of Barber in order to provide user with a more user friendly interface for placing the broadcast message.

Consider claim 31, as discussed above, Barber teaches the system includes software that transmits paging system and zone specifics, as selected on the screen to at least one of the paging systems via the computer network for presentation of selected audio messages in the selected zone (col. 2 lines 40-50).

Consider claim 32, Troen-Krasnow et al teach a system, which includes software for providing a graphical display of paging system status feedback information (col. 9 lines 52-57).

7. Claims 1-9,12-13 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Troen-Krasnow et al (6,442,250) in view of Barber (6,295,001 and further in view of Kim et al (2004/0170159).

Consider claim 1, Troen-Krasnow et al teach a communications system (Fig. 1) comprising: at least one audio input port, the port including; an input audio transducer coupled to control circuitry for producing audio in a transmittable format (col. 8 lines 29-37); a database of specifiable individual or group(s) destinations (col. 8 lines 43-61); the control circuitry and the database are coupled to a bidirectional port for communicating with selected destinations via a computer network, the control circuitry forwarding destination selecting information via the port (col. 4 lines 26-36; col. 9 lines 9-11).

Troen-Krasnow et al did not suggest where the database specifiable locations and receiving feedback information from at least some of the selected locations indicative of operational status of devices at the selected locations. However, Barber suggested such (abstract; col. 1 lines 10-15; col. 2 lines 40-50; col. 4 lines 14-24).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to replace the group and individual to be page or broadcast of Troen-Krasnow et al with the location and region of Barber in order to provide a more effective broadcasting system.

Furthermore, Troen-Krasnow et al did not suggest of producing real-time streaming digitized audio signal. However, Kim et al suggested such (see page 1, ¶ 7-11).

Therefore, it would have been obvious to one of the ordinary at the time the invention was made to utilize the teaching of Kim et al into view of Troen-Krasnow et al and Barber in order to provide information during time-critical situations.

Consider claim 2, as discussed above, Troen-Krasnow et al teach the system includes a graphical user interface, coupled to the control circuitry enabling a user to select at least one location and at least one audio destination therein whereat audio from the input port is to be presented substantially in real time (col. 4 lines 8-25).

Consider claim 3, as discussed above, Troen-Krasnow et al teach where the graphical user interface displays a plurality of selectable locations and a plurality of selectable destinations within each location where audio can be simultaneously presented in real time (col. 7 line 54 – col. 8 line 20).

Consider claim 4, as discussed above, Troen-Krasnow et al teach where the database includes information pertaining to a plurality of selectable locations and a plurality of possible destinations of audio associated with respective locations (col. 8 lines 50-56).

Consider claim 5, as discussed above, Troen-Krasnow et al teach where the database includes information pertaining to a plurality of selectable locations and a plurality of possible destinations of audio associated with respective locations (col. 6 lines 9-22).

Consider claim 6, Troen-Krasnow et al teach the system includes software enabling a user to add a location and an associated plurality of destinations (col. 8 lines 5-19).

Consider claim 7, Troen-Krasnow et al teach the system includes software for constructing paging system control commands for transmission to the specified location (col. 4 line 64 – col. 5 line 9).



Consider claim 8, Troen-Krasnow et al teach the system includes gateway software for receipt of the location specifying and destination specifying information (col. 4 lines 1-6).

Consider claim 9, as discussed above, Troen-Krasnow et al teach the system includes audio signal circuitry, coupled to the gateway software, for producing real-time audio in at least one selected zone (col. 3 line 61 – col. 4 line 6).

Consider claim 12, Troen-Krasnow et al did not clearly suggest where the source software includes audio compression software. However, Kim et al suggested such (page 1, ¶ 11). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kim et al into view of Troen-Krasnow et al and Barber in order to increase transmission rate.

Consider claim 13, Troen-Krasnow et al did not clearly suggest where the source software includes encryption software. However, Kim et al suggested such (page 3, ¶ 42 and 43). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kim et al into view of Troen-Krasnow et al and Barber in order to secure the communications.

Consider claim 25, Barber teaches a system which includes multi-zone paging systems at selected locations, the location and destination selecting information including zone specifiers to couple the real time audio to at least one transducer in a specified zone of a selected paging system (col. 4 lines 42-67).

Consider claim 26, Barber teaches a system which includes monitoring circuitry located at least at selected paging systems to generate operational status feedback information to be coupled to the control circuitry (col. 4 lines 19-24).

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Consider claim 27, Troen-Krasnow et al teach a system which includes software for presenting graphical representations of the operational status feedback information local to the input audio transducer (col. 9 lines 52-57).

Consider claim 28, Troen-Krasnow et al teach a system which includes software for presenting graphical representations of the operational status feedback information local to the input audio transducer (col. 9 lines 52-57).

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

**QUOCTRAN**  
**PRIMARY EXAMINER**  
Quoc D. Tran

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February 19, 2006